

REGULAR COUNCIL MEETING
March 4, 2013

Members Present: Douglas Baker, Mayor
Samuel Lyons
James Marshall
Jennifer M Horne
Ryan Rudegeair
Garnet Wood

Members Excused: Donna Fletcher, Deputy Mayor

In Attendance: E. William Gabrys, City Manager
Tracy Jamieson, Deputy Manager
Brian Spaid, Esq., City Solicitor
Darla Hawke, Recording Secretary
Amy Judson Burak, 1124 Elk Street
Cliff & Penny Minnick, 1218 Elk Street
Dianne Hall, 1109 Elk Street
Joan Loeffler, 1116 Elk Street
Annie Shebuck, 1122 Elk Street
James & Rachel Ashbaugh, 1428 Elk Street
Bill & Lori Hellman, 1114 Elk Street
Allen & Suzanne Sharrer, 769 Pone Lane
Herb Bigley, 124 Tingley Lane
Mr. & Mrs. Cory Masterson, 123 Timber Lane
David Vallosic, 100 Hill Top Lane
Daniel Weiland, One Parkway
Steve Crawford, 720 Wiley Avenue
Leslie Paul, 1525 Liberty Street
Barb Hankins, 1550 Elk Street
Jim Williams, 474 Miller Road
Adam Guthrie, 362 Beatty Run
Stephen & Beth West
Mark Heim, The Stream
Jeremy Johnson, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:00 PM.

ADOPTION OF AGENDA - Resolution No. 29

Mr. Lyons moved to approve the agenda, as presented. Mr. Rudegeair seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 30

Mr. Wood moved to approve the minutes of the regular meeting of February 4, 2013, as presented. Mr. Rudegear seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 31

Mr. Lyons moved to pay the bills as presented. Mr. Wood seconded the motion, which passed unanimously.

CITIZENS' INQUIRIES - None.

CERTIFICATE OF APPROPRIATENESS

314 West Park Street:

Resolution No. 32 - Because he felt it did not conform to the Historic District, Mr. Marshall moved and Mr. Wood seconded a motion to deny a Certificate of Appropriateness for a sign at 314 W. Park Street, as presented.

Mr. Sharrer advised Council that he has been open since January 3, 2013 and needs to have a sign placed at his business location. He noted that there are several other 'painted aluminum signs' in his neighborhood and, as there were no guidelines to follow for signs being placed in the Historic District (District), he felt this sign would be appropriate. He noted that the Historic & Architectural Review Board (HARB) had not given any definitive reason for their denial, other than, they did not feel it was appropriate for the District.

A vote was taken on the motion with Mr. Wood and Mr. Marshall voting YES; Mayor Baker, Mr. Lyons and Mr. Rudegear voting NO; and Ms. Horne abstaining from the vote, since the applicants are clients. Motion failed 2-3-1.

Resolution No. 33 - Mr. Lyons then moved and Mr. Rudegear seconded the motion to approve a Certificate of Appropriateness for the sign request of 314 W. Park Street, as presented. A vote was taken on the motion with Mayor Baker, Mr. Lyons and Mr. Rudegear voting YES; and Mr. Marshall and Mr. Wood voting NO. Ms. Horne abstained from the vote. Motion passed 3-2-1.

1046 Liberty Street:

Resolution No. 34 - It was noted that an application for 1046 Liberty Street consisted of 4 features that were considered by HARB, 2 of which received a positive recommendation (awnings & valances) and 2 which did not (windows & railings). A motion was made by Mr. Rudegear and seconded by Mr. Lyons to approve a Certificate of Appropriateness for the awnings and valances. Motion passed 5-1, with Ms. Horne abstaining from the vote, since the applicants were clients.

Mr. Masterson provided Council with a dozen pictures of other structures and homes in the Historic District similar in appearance and design to the structure he is renovating at 1046 Liberty Street. He advised that he has installed the exact same windows at several of his other properties within the District and has never been denied by HARB. Mr. Masterson also noted that he, too, felt that a set of guidelines are needed for structures located in the District.

Resolution No. 35 - Mr. Marshall then moved and Mr. Lyons seconded a motion to approve a certificate of appropriateness for the windows and railing at 1046 Liberty Street, as presented. Motion passed 5-0-1, with Ms. Horne abstaining from the vote.

1117 Elk Street:

Resolution No. 36 - Mr. Spaid informed the members that at the February 26 meeting, during which HARB members voted to approve the two applications for 1117 Elk Street, they did have a quorum with 4 members present, however, the Ordinance states, *"In order for an application to be approved there must be at least 4 members voting YES."* As a result, Mr. Spaid explained, the request was technically denied, despite the 3-1 approval at the HARB meeting.

Deciding to act on both applications as one, Mr. Marshall moved and Mr. Lyons seconded a motion to deny a Certificate of Appropriateness for the porch project & carriage house at 1117 Elk Street, as they did not feel it was a good fit for the District. Motion passed 4-1-1, with Mr. Rudegeair voting NO, advising he would have preferred to vote on the two applications separately; and Ms. Horne abstaining from the vote, since the applicant is a client.

Mr. Weiland then addressed the Board. First, he advised that he felt it was unfair for Council to have combined the Porch Project and Carriage House applications together for the vote. Secondly, he also felt there was a strong need to establish guidelines for those persons wishing to do work in the District. It was the consensus of Council these guidelines should be a project for HARB. Mr. Spaid advised he would be attending the next HARB meeting to help the Board set some of those standards in order for smoother procedures down the road.

BALL LEAGUE AGREEMENTS - Resolution No. 37

Mr. Rudegeair moved and Mr. Marshall seconded a motion to approve both the Franklin Area Men's Softball League and Franklin Little League Association Agreements. Motion passed 5-0, Mr. Wood was out of the room for the vote.

FINAL READING - BILL NO. 1 - WILEY AVENUE BRIDGE WEIGHT LIMIT - Resolution No. 38

Mr. Spaid read the title of Bill No. 1, "Wiley Avenue Bridge Weight Limit," into the record. Mr. Rudegeair moved and Mr. Lyons seconded a motion to pass on Final Reading, Bill No. 1, "Wiley Avenue Bridge Weight Limit." Motion passed 5-0. Mr. Wood was out of the room for the vote.

PARADE & PARK REQUESTS

Mr. Williams, Applefest® Committee Chairman, was in attendance to explain the Chamber's request regarding the closure of West Park Street on Wednesday, October 2, 2013. He noted that the request had come from the Franklin Police Department last year in order to allow larger vendors to get in and parked, opening up the area for other vendors to unload the following day. He noted that West Park Street was not closed all day last year and, in fact, there had been a funeral at Huff's Chapel that day and Mr. Guthrie reported that everything had run smoothly. He also noted that the street would not have to be closed all day, but at the Police Department's discretion.

Resolution No. 39 - Mr. Rudegear moved and Mr. Marshall seconded a motion to approve the following requests:

- City of Franklin • Fountain Park • 3.23.13 • Annual Easter Egg Hunt.
- Franklin Alliance Church • Riverfront Park • 3.31.13 • Easter Sunrise Service
- Heart 2 Heart PSN • 13th & Elk Streets & Fountain Park • 4.2.13 • Autism Walk of Awareness
- Relay for Life, American Cancer Society • Fountain Park • 4.19.13 • Relay for Life Kick Off
- V.E.T.S. Honor Guard • 13th, Chestnut, Liberty Streets & Bandstand Park • 5.27.13 • Memorial Day Parade & Ceremony
- City of Franklin • 400 block of 12th Street • 6.29.13 • 4th of July Outhouse Race
- Jennifer DeWoody • Fountain Park • 7.20.13 • Wedding
- Franklin Area Chamber of Commerce • numerous downtown locations • 10.1 through 10.6.2013 • Applefest®

Motion passed unanimously.

FIRST READING - BILL NO. 2 - AMEND POLICE PENSION ORDINANCE - Resolution No. 40

Mr. Spaid read Bill No. 2, "Amend Police Pension Ordinance," in its entirety. Mr. Marshall moved and Mr. Wood seconded a motion to pass on First Reading, Bill No. 2, "Amend Police Pension Ordinance." Motion passed unanimously.

REPORTSManager

- Advised the Franklin Fire Department received a \$48,450 Federal Grant, which would be used to replace all personnel turn-out gear.
- Reported that the City has replaced 150 watt bulbs [costing \$23-30/each and lasting less than 3 years] with high-efficiency 45 watt bulbs [costing \$200/each, however, which will last for 11 years] in the 4-post Light Pole at 12th & Liberty Streets on the

Fountain Park side. He noted that the light is more white opposed to the old ones that were more yellow. He advised they plan to slowly transition the other Downtown lights with 35 watt bulbs, as these poles were closer together and shouldn't need that high of wattage.

- SPIFIY (Show Pride In Franklin Its Yours) Day has been scheduled for May 1, with a rain date of May 8.
- Reported that 200 tons less of road salt and 60 less manhours have been used in the Street Department compared to last year's figures.
- Mrs. Jamieson reported that the new Miller-Sibley Pool Slide should be fully installed by the end of this week.
- Resolution No. 41 - Reported that the City is still working with the County to try to get the \$1 million federal appropriation for the Chub Run/Morrison Run Stormwater Project approved. He indicated, at this point, the County is asking the City to enter into a Cooperative Agreement with them for the administration of the project, one that does not require any financial commitment at this time. Mrs. Jamieson noted that the City will still act as the grantee and be the conduit for the funding, should FEMA approve the project. Mr. Marshall moved to approve entering into the Cooperative Agreement with the County of Venango. Mr. Lyons seconded the motion, which passed unanimously.
- Would need an Executive Session to discuss personnel.

Solicitor - None.

Mayor

- Reported that this year's Franklin On Ice had been the most successful so far and that one Downtown business had actually reported that it did as well as during Applefest®.

COUNCIL REPORTS

Mr. Marshall

- Reported that tenants of the Liberty Building, which had recently suffered a major fire, noted that the firefighters were extremely courteous and went out of their way to help people leave the building.
- Feels there is a need to address vehicles parking too close to the Downtown fire hydrants.

EXECUTIVE SESSION - Resolution No. 42

Mr. Marshall moved to enter into executive session at 8:38 PM to discuss personnel. Mr. Lyons seconded the motion, which passed unanimously. The executive session ended at 8:48 PM.

ADJOURNMENT Resolution No. 43

There being no further business to come before the Council at this time, Mr. Lyons moved and Mr. Rudegeair seconded a motion to adjourn the meeting 8:48 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary